

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

August 25, 2023

Nathan Ochsner, Clerk of Court

United States of America
v.

Case No. 7:23-MJ-01503-1

Gerardo VILLARREAL
YOB: 1989 COB: U.S.Defendant(s)**SEALED**

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 21, 2023 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*Title 18 U.S.C. Section 922(g) Felon in possession of a firearm
(1)

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

Approved by AUSA Devin V. Walker

/s/ Eric Lerma*Complainant's signature*Eric Lerma, ATF Special Agent*Printed name and title*☐ Sworn to telephonically and signed electronically
per Fed.R.Cr.4.1Date: 08/25/2023 at 3:54 p.m.City and state: McAllen, Texas*Judge's signature*J. Scott Hacker, U.S. Magistrate Judge*Printed name and title*USMS, MCALLEN TX
23 08 28 PM03:23
13

ATTACHMENT A

On August 21, 2023, in Alton, Texas, within the Southern District of Texas, a Hidalgo County Sheriff's Office (HCSO) Deputy conducted a traffic stop on a white Honda Civic near the area of 6 Mile Line and Conway Road. The reason for the traffic stop on the white Honda Civic was due to the rear license plate being obstructed, in violation of Texas Transportation Code TRANSP 504.945.

The Deputy identified VILLARREAL as the driver and the only occupant of the Honda Civic. VILLARREAL identified himself to Deputy Garcia using a Texas Identification Card.

The Deputy deployed his HCSO issued K-9 "Ston" to conduct a sweep of the Honda Civic to detect for the presence of any narcotics. The Deputy observed K-9 "Ston" provide a passive alert to the odor of illegal narcotics inside of the vehicle. Due to K-9 alert, the Deputy proceeded to search the vehicle for the presence of any narcotics.

As a result of the search, Deputies located a loaded, black in color, Smith & Wesson, Bodyguard, .380 caliber pistol, bearing serial number: EAY2510, underneath the driver seat of the Honda Civic, and a clear plastic bag with suspected cocaine in the rear pocket of the passenger seat.

Your Affiant knows on May 8, 2018, VILLARREAL was convicted before the U.S. District Court, Southern District of Texas, McAllen Division, for the offense of 18 U.S.C. § 1201(a) and 2, Kidnapping and he was sentenced to three hundred twenty-four (324) months custody of the Bureau of Prisons and five (5) years of supervised release term imposed (7:12CR00007-001). On April 12, 2023, he was re-sentenced to time served followed by three (3) years of supervised release.

The firearm was examined by an ATF Interstate Nexus agent and were determined to have been manufactured outside of the State of Texas and had thus moved in and effected interstate commerce.